

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 03-13522

<p>FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT December 13, 2005 THOMAS K. KAHN CLERK</p>

D. C. Docket No. 02-00115 CR-J-32-TEM

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

EL AMIN BASHIR,
a.k.a. Lavonne Dallas,
a.k.a. Bas,
a.k.a. Levonne Dallas,
a.k.a. El Amir Bashir,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(December 13, 2005)

**ON REMAND FROM THE
SUPREME COURT OF THE UNITED STATES**

Before EDMONDSON, Chief Judge, TJOFLAT and COX, Circuit Judges.

PER CURIAM:

A jury convicted Defendant Bashir of federal drug crimes. We affirmed the conviction. United States v. Bashir, No. 03-13522, 2004 WL 1737101 at *1 (11th Cir. Jul. 15, 2004) (Table). Bashir appealed our decision to the United States Supreme Court. The Court vacated the judgment and remanded the case to us in the light of United States v. Booker, 125 S. Ct. 738 (2005). Bashir v. United States, 125 S. Ct. 1741 (2005).

Bashir raised no Booker/Blakely/Apprendi issue on his initial appeal. Accordingly, no Booker issue is timely before us. United States v. Dockery, 401 F.3d 1261, 1263 (11th Cir. 2005). See United States v. Ardley, 242 F.3d 989, 990 (11th Cir. 2001) (recognizing that the Supreme Court did not indicate this Court should ignore “our well-established rule that issues and contentions not timely raised in the briefs are deemed abandoned”).

On reconsideration, we affirm the conviction and sentence.

AFFIRMED.